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Alfred & Sheryl Beauvais

944 Swan Drive

Hillcrest Bay

Parker, AZ 85344

Docket Number E – 01345A – 07 - 0663

Docket Number T - 01846B – 07 - 0663

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2009 JUL -9 P 12: 59

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Phoenix, Ca 85007

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To whom it may concern,

This letter is to address the recent Pre-Hearing Brief received on July 8, 2009 from Hillcrest Bay Inc. Due to Alfred being handicapped we will not be able to be present at the upcoming meeting July 21, 2009 at 10 am.

I would like to respond to this brief by saying I do not support the underground conversion because:

- The cost of such a project is NOT feasible – Real Estate values in the US are plummeting at such a rate the cost will not be recovered for many years to come. Phillip Garcia, principle appraiser of Enterprise Valuation Association stated the underground conversion could increase property values from 5% – 15%. A property at Hillcrest Bay has not been sold since 2008 at a substantially reduced value. Currently there are 22

properties for sale at Hillcrest Bay. Prior board member and President Art Ward indicated that the most recent sale has been dropped from escrow due to a potential underground utility lean being placed on the property. It is factual that this is not going to increase property values. Property liens have a negative effect on property values and you do not need to be an appraiser to realize it.

- Safety issues concerning telephone poles were addressed on July 12, 2008 to the Arizona Corporation Commission Consumer Services Section. The Arizona Public Service Company (APS) has responded by saying all poles and wires have met the stringent Arizona Safety requirements. See attached document #1.
- Health concerns due to bird droppings will not be reduced.
  - We are located next to a Federal Bird Sanctuary and Federal Game Reserve.
  - In regards to Histoplasmosis addressed by the attorneys representing those in favor of this underground utilities project, I would like to have you review the attached research article from the American Journal of Epidemiology stating that Bats are the primary carriers and cause of Histoplasmosis infection. Hillcrest Bay is located next to a mountain area filled with Bat dwelling caves. Underground utilities will not have any effect on Bats inhabiting this area. See attached document #2.
  - In regards to Coccidioidomycosis also known as Valley Fever. Please review the attached report from the Center of Disease Control stating that Coccidioidomycosis is a fungal disease caused by organisms that reside in the soil. "Most of the people who get this disease are people who live in or visit places where the fungus is in the soil and who engage in activities that expose them to dust (such as construction, agricultural work, military field training and archeological exploration)." Why have there been no studies to determine if we the Hillcrest Bay residents will get ill from construction involved in installing underground utilities? See attached document #3.
- The inaccurate count of supporters is still an issue due to the following reasons;
  - Three (3) properties were given a YES approval that John Sears physically wrote in YES because the property owners did not check a yes or no box on their vote. All votes should be notarized and verified for accuracy by an independent party. Even if I buy a house for \$100,000 I have to notarize the documents. We are talking about \$2 million dollars.
  - Three (3) properties owned by Hillcrest Bay were all given a YES vote. I would argue that these properties should remain neutral and not included in the vote one way or another. Or let us make them all NO votes. That would be fair.
  - Also lot #274 is a large amount of land owned by La Paz County. This has also been included as a YES vote even though the land was given to La Paz county

because it is not a buildable property and will not have utilities installed. This property should be excluded from the vote.

- Fourteen (14) people have tried to change their votes from yes to NO due to the current economic status of the country. If this goes forward we will have vacant or foreclosed properties that further reduce property values and become eye sores.
- In 2008 John Sears took \$9,000 from the association account to establish a fund for low income property owners to assist in their costs for the underground utility installation. On Aug. 14, 2008 I inquired as to why no escrow account had been established with this \$9,000 and who were the other contributors of the additional \$19,000? I was told this was none of my business. I am a property owner and this is my association money and it is my business. I am told there is a fund but given no proof of one. Where is the escrow account? See attached document # 4.
- It does not surprise me that the three people given money from the fund voted YES for the project. Why would you vote yes for this project if you can not afford to pay for it?
- I have attached real pictures of current properties for the commissioners. I suggest that spending \$2 million dollars to remove telephone poles will not improve the value of our property. What looks better the telephone pole, a sail boat, a truck with no tires, or an overgrown tree?

I feel this project has been misrepresented with misleading statements and information submitted to all property owners. The people against this project have not been given the same opportunities to have \$8500 in legal representation paid for by the association nor were we given postage or even access to the community website to post our opinions. This is a violation of my rights as a property owner.

Sincerely,

Alfred Beauvais

Sheryl Beauvais

#1.

## Arizona Corporation Commission Consumer Inquiry and/or Complaint Form

*This form may be completed electronically, printed and mailed to:*

Arizona Corporation Commission, Consumer Services Section, 1200 W. Washington St.  
Phoenix, Arizona 85007

### Step 1

*Before submitting a complaint to the ACC please visit this [link](#) to determine if the Commission regulates this service. If the company is regulated, please contact the company first. If you have already contacted your utility and are not satisfied with its response, please fill out this form and return the address above.*

### Step 2

YOUR NAME alfred beauvais	DATE 7/12/08
ADDRESS, CITY, STATE AND ZIP 944 swan drive parker az.	PHONE (HOME) (909) 463-6656
NAME THAT APPEARS ON THE BILL alfred beauvais	ALTERNATE PHONE (DAYTIME)
NAME OF THE UTILITY COMPANY arizona public service company (aps).	ACCOUNT NUMBER
E-MAIL ADDRESS arkwork@verizon.net	CHECK HERE TO CONFIRM THAT YOU HAVE ALREADY CONTACTED THE UTILITY (SEE STEP 1) <input checked="" type="checkbox"/>

### Step 3

<p>PLEASE SUMMARIZE YOUR COMPLAINT OR INQUIRY:</p> <p>The utility has not been maintaining the poles or lines due to Hillcrest Bay undergoing a vote to put the current system underground. Several months ago we have had a pole fall creating a power outage. In addition most of the lines in the tract are now well under the commission's height requirement. My next door neighbor on lot 99 has a pole that will probably fall due to erosion very soon. The utility as far as i can see (having been here 19 years) has forgone all maintenance as required by the commission to provide standard service. Please help in getting the utility to do their job as required by the commissions rules. I will provide any pictorial information if so requested.</p> <p>Regards Al Beauvais</p>
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### Step 4

*Please include copies of any documentation, such as bills, that our office would need to provide a response.*



#2

# American Journal of Epidemiology

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- [Volume 89, Number 5](#)
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Perform your original search, **arizona histoplasmosis cases**, in *Am. J. Epidemiol.* [Search](#)

American Journal of Epidemiology Vol. 89, No. 5: 606-614  
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## research-article

# ISOLATION OF *HISTOPLASMA CAPSULATUM* FROM ARIZONA BATS<sup>1</sup>

ARTHUR F. DI SALVO<sup>2</sup>, LIBERO AJELLO,  
JOSEPH W. PALMER, JR. and W. G. WINKLER

S. Carolina State Board of Health Columbia, S. C. 29201

A total of 555 bats representing nine species were captured in Arizona and cultured for *Histoplasma capsulation*. Fifteen bats from five sites in southern Arizona yielded the fungus. Eight of these bats were *Tadarida brasiliensis mexicana* (Mexican free-tailed bat) and seven were *Leptonycteris sanborni* (long nosed bat). The latter, a nectar-feeding species, is reported for the first time as harboring this organism. The ecology of the positive sites and the possible role of bats in the epidemiology of histoplasmosis are discussed.

chiroptera; fungi; histoplasma; histoplasmosis; mycoses

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<sup>1</sup>From the National Communicable Disease Center, Health Services and Mental Health Administration, U. S. Department of Health, Education, and Welfare, Atlanta, Georgia 30333.

#3

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## Division of Foodborne, Bacterial and Mycotic Diseases (DFBMD)

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### Coccidioidomycosis

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#### Frequently Asked Questions

- [What is coccidioidomycosis?](#)
- [Who gets coccidioidomycosis?](#)
- [How do coccidioidomycosis infections spread?](#)
- [Is coccidioidomycosis contagious?](#)
- [What should I do if I have been exposed to \*Coccidioides\*?](#)
- [What are the symptoms of coccidioidomycosis?](#)
- [How soon do symptoms appear?](#)
- [If I have symptoms, should I see my doctor?](#)
- [How is coccidioidomycosis diagnosed?](#)
- [How is coccidioidomycosis treated?](#)
- [How can coccidioidomycosis infections be prevented?](#)
- [Have there been any recent outbreaks?](#)

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#### Contact Information



800-CDC-INFO (232-4636)

[cdcinfo@cdc.gov](mailto:cdcinfo@cdc.gov)

TTY:

888-232-6348

#### What is coccidioidomycosis?

Coccidioidomycosis, also known as Valley Fever, is a fungal disease caused by *Coccidioides* species. These organisms live in the soil of arid and semiarid areas in areas such as the southwestern United States, parts of Mexico and South America. It is a reportable disease in states where the disease is endemic, such as California, New Mexico, Arizona and Nevada. Of people who live in an endemic region, about 10-50% will have evidence of exposure to *Coccidioides*.

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#### Who gets coccidioidomycosis?

Most of the people who get the disease are people who live in or visit places where the fungus is in the soil and who engage in activities that expose them to dust (such as construction, agricultural work, military field training and archeological exploration).

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#### How do coccidioidomycosis infections spread?

People get infected with *Coccidioides* by inhaling fungal spores that become airborne after disturbance of contaminated soil by humans or natural disasters (e.g., dust storms and earthquakes).

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#### Is coccidioidomycosis contagious?

No, the infection is not spread from person to person, or from animals to people. The infectious form of the fungus exists when the fungus grows in the environment. The fungus changes its form when it infects a person, and this form cannot be transmitted from one person to another.

It is important to note, however, that *Coccidioides* growing in culture as a mold in the

#4

Mr. John Sears

After reading your response to my letter dated Aug 14, 08, I feel there are a few issues that have not been addressed as was put forth in my letter. I am concerned by your making note that funds expended in any manor was and could be approved by the board when appropriate. To see if this was true and not a false statement, I pulled the CCR document dated October 28 2004 from my file cabinet. Looking at article xii I was not surprised to find once again a misstatement in your latest letter indicating Hillcrest Bay Inc. board members can take 9000.00 (was this a  $\frac{3}{4}$  vote as stipulated) from the general fund to help folks that can't afford to do the *underground* project. The rule is very clear, article xii is designed to maintain the upkeep of the roads in the park quote "The streets and roadways located in the subdivision remain the obligation of lot owners the corp. known as Hillcrest Bay has been formed to accomplish **maintenance, upkeep and improvements**". Nowhere does this article state the board can give money to fund lower income owners so they can change the way power enters their residence.

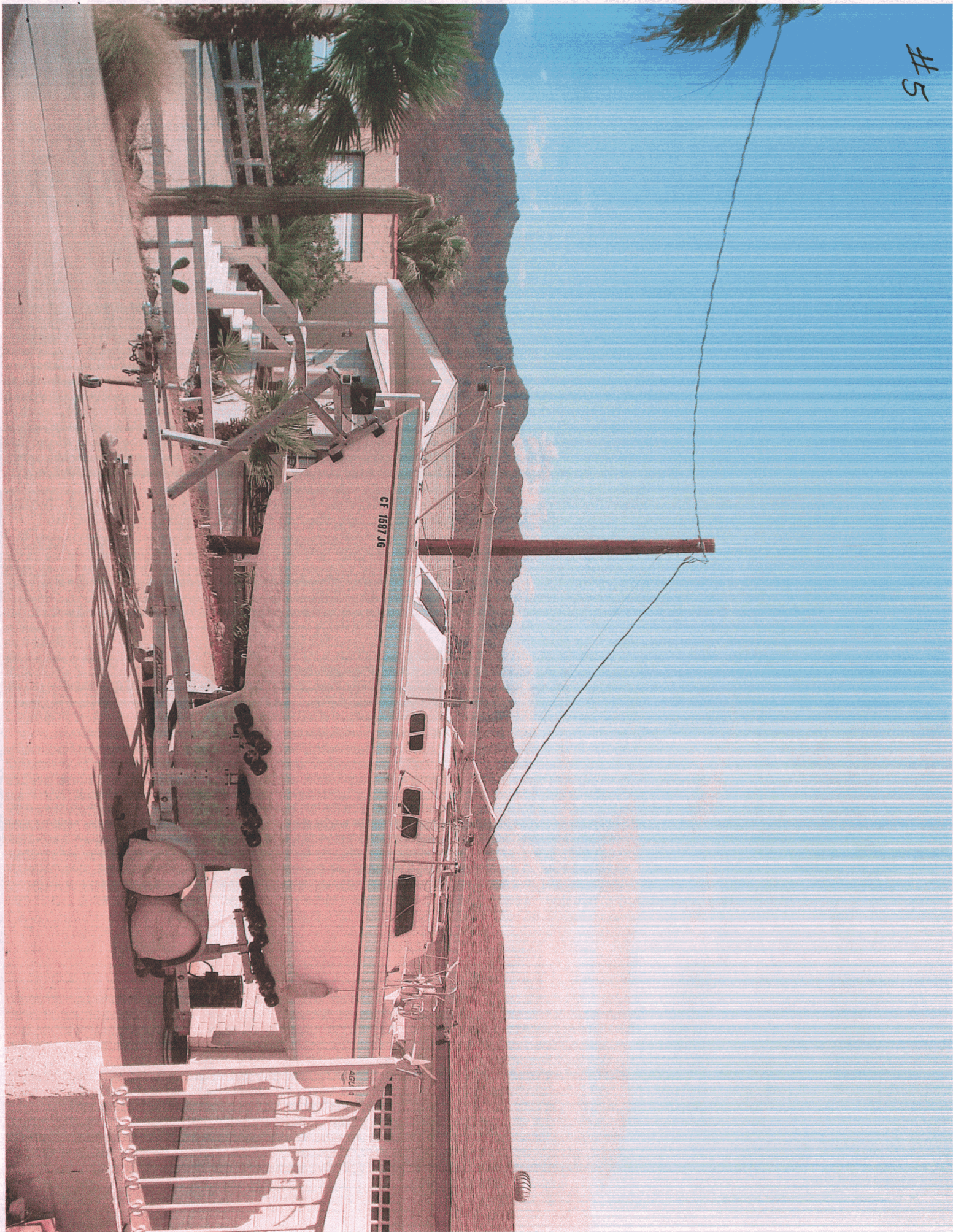
Having been an owner since 1987, I must say that the road condition in the park is in one of the worst conditions that I have seen in my term of residence. It's to the point that it appears that we are neglecting maintenance of the roads which is *unsafe*, and *detracting* from property value to keep our option open for the utility project. This is not what the board was elected for, as article 12 b stipulates. I suggest we look forward to getting the huge pot holes out of our roads. I will be more than happy to forward some photos to the board if they can't see them.

Again it appears that you are attempting to use a false statements and personal opinion to alter the rules to fit your need. It is apparent that a legal intervention is the only way to stop the misuse of our funds by the board.

REC'D  
8-21-08

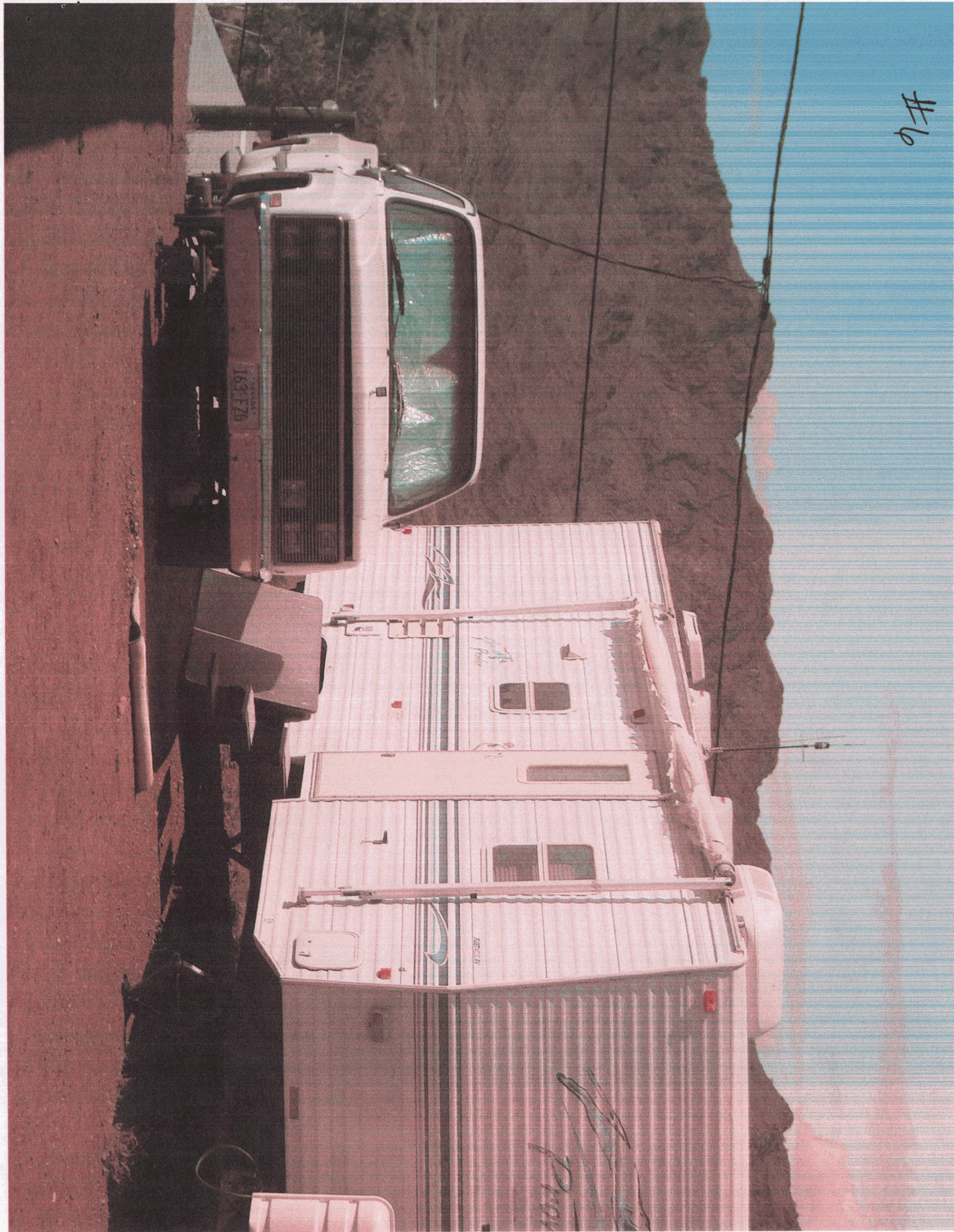


#5





#6





#7

